

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)

23-02639 BKOBJ03
BROCK & SCOTT, PLLC
302 Fellowship Rd, Suite 130
Mount Laurel, NJ 08054
(844) 856-6646
Attorneys for Wilmington Savings Fund Society, FSB,
not in its individual capacity but solely as trustee of
MFA 2021-NQM2 Trust

In Re:

CHRISTIAN G MONNE

Case No: 23-10870-JKS

Hearing Date: June 22, 2023

Judge: JOHN K.
SHERWOOD

Chapter: 13

**OBJECTION TO CONFIRMATION
OF DEBTOR'S MODIFIED CHAPTER 13 PLAN**

Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as trustee of MFA 2021-NQM2 Trust ("Creditor"), by and through its undersigned counsel, files this *Objection to Confirmation of Debtor's Modified Chapter 13 Plan* [DE 37], and states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 1, 2023.
2. Creditor holds a security interest in the Debtor's real property located at 33 Graydon Terrace, Clifton, NJ 07013 (the "Property"), by virtue of a Mortgage.
3. The Debtor filed a Chapter 13 Plan (the "Plan") on May 24, 2023 [DE 37].
4. Creditor filed a Proof of Claim in this case on April 12, 2023 (Claim No. 14).
5. Debtor's Plan provides for funding based on a potential refinance of the Property, and proposes a deadline of twenty four (24) months from Plan confirmation.

6. Debtor's Plan is speculative in nature in that the Plan contemplates curing the arrears through a refinance of the Property that has not yet come to fruition.

7. Additionally, the proposed timeframe of 24 months from Plan confirmation is unreasonably long.

8. Therefore, the Plan is not in compliance with the requirements of 11 U.S.C. §§ 1322(b)(3) and 1325(a)(5) and cannot be confirmed. Creditor objects to any plan which proposes to allow 24 months for the refinance of the property.

WHEREFORE, Creditor respectfully requests the entry of an Order which denies confirmation of the Plan unless such plan is amended to overcome the objections of Creditor as stated herein, and for such other and further relief as the Court may deem just and proper.

/s/Matthew Fissel

Matthew Fissel, NJ Bar No. 038152012
Andrew Spivack, NJ Bar No. 018141999
Jay Jones, NJ Bar No. 972011
Attorney for Creditor
BROCK & SCOTT, PLLC
3825 Forrestgate Drive
Winston Salem, NC 27103
Telephone: (844) 856-6646
Facsimile: (704) 369-0760
E-Mail: NJBKR@brockandscott.com

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CERTIFICATION OF SERVICE

1. I, Cassondra Emanuel:

☐ represent the _____ in the above-captioned matter.

☒ am the secretary/paralegal for BROCK & SCOTT, PLLC, who represents Wilmington Savings Fund Society, FSB, not in its individual capacity but solely as trustee of MFA 2021-NQM2 Trust in the above captioned matter.

☐ am the _____ in the above case and am representing myself.

2. On June 15, 2023, I sent a copy of the following pleadings and/or documents to the parties listed below:

OBJECTION TO CONFIRMATION OF DEBTOR'S MODIFIED
CHAPTER 13 PLAN

3. I hereby certify under penalty of perjury that the above documents were sent using the mode of service indicated.

Dated: June 15, 2023

/s/ Cassondra Emanuel

Cassondra Emanuel

Name and Address of Party Served	Relationship of Party to the Case	Mode of Service
CHRISTIAN G MONNE 39 GRAYDON TERRACE CLIFTON, NJ 07013	Debtor	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
JAMAL ROMERO SCURA, WIGFIELD, HEYER, STEVENS & CAMMAROTA, LLP 1599 HAMBURG TPKE WAYNE, NJ 07470	Debtor's Attorney	<input type="checkbox"/> Hand-delivered <input checked="" type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)
Marie-Ann Greenberg Chapter 13 Standing Trustee 30 Two Bridges Rd Suite 330 Fairfield, NJ 07004	Chapter 13 Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/>

		Other _____ (as authorized by the court *)
U.S. Trustee Office of the US Trustee One Newark Center Ste 2100 Newark, NJ 07102	US Trustee	<input type="checkbox"/> Hand-delivered <input type="checkbox"/> Regular mail <input type="checkbox"/> Certified mail/RR <input type="checkbox"/> E-mail <input checked="" type="checkbox"/> Notice of Electronic Filing (NEF) <input type="checkbox"/> Other _____ (as authorized by the court *)

* May account for service by fax or other means as authorized by the court through the issuance of an Order Shortening Time.